

Deprivatizing Private Education: The British Columbia Experience¹

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Until 1977 the state did not regulate private schools in British Columbia. Then came provincial legislation. Today, not only must all non-public schools register with provincial authorities but the overwhelming majority receive 50 percent of the funding accorded local public schools. I here argue that family choice and state control have grown in dialectical fashion. The expansion of choice, as evidenced in higher enrolments and new private schools, has encouraged public oversight, which has then acted to constrain the boundaries of choice. Today most private schools differ little from their public counterparts as regards teaching methods and basic curriculum. Private schools' philosophical and religious underpinnings, supposedly the reason for their existence in the first place, have also come under the scrutiny of public opinion and had to be balanced against growing recognition of children's rights. What began as a single piece of legislation secured by a small interest group has become an integral component of public policy. Private education has been deprivatized.

Jusqu'en 1977, les écoles privées de la Colombie-Britannique échappaient à toute réglementation gouvernementale. Puis une loi provinciale a été édictée. Aujourd'hui, non seulement toutes les écoles privées doivent s'enregistrer auprès des autorités gouvernementales, mais la très grande majorité reçoivent 50 pour 100 des subventions accordées aux écoles publiques locales. Le choix des parents et le contrôle de l'État se sont développés d'une manière dialectique. L'élargissement du choix, comme en témoigne un plus grand nombre d'inscriptions et d'établissements privés, incite le public à être plus vigilant, ce qui a pour effet de limiter les choix. Aujourd'hui la plupart des écoles privées ne diffèrent guère de leurs homologues du système public pour ce qui est des méthodes pédagogiques et des programmes de base. Les principes philosophiques et religieux des écoles privées—ceux-là même pour lesquels elles auraient été créées—font, eux aussi, l'objet d'un examen minutieux de la part du public, surtout à la lumière de la reconnaissance grandissante des droits des enfants. Ce qui a d'abord été une loi édictée pour un petit groupe d'intérêt fait maintenant partie intégrante de la politique générale. L'enseignement privé est déprivatisé.

In 1977 British Columbia embarked on an educational policy virtually unique in North America.² Until then the province's private schools were unregulated, subject to no external requirements apart from basic health and safety standards applicable generally across the society. Then came provincial legislation. Today, not only do the overwhelming majority of non-public schools receive 50 percent of the funding accorded local public schools, but all educational institutions must register with provincial authorities whether or not they desire financial assistance. Private education has been deprivatized.

Although the British Columbia experience generated initial scholarly interest, effects over the long term have not been analyzed.³ My argument is that family choice and state control have grown dialectically. Government funding, intended to expand the boundaries of choice for parents, did bring higher enrolments and new schools. This in turn encouraged greater public oversight, which has then constrained the boundaries of choice. I do not enter the debate over the comparative merits of public and non-public education.⁴

BACKGROUND

Until 1977, private schooling in British Columbia was limited in its influence to small minorities centred in specific social settings and geographical areas. Over 95 percent of children attended local public non-denominational schools. The provincial government concerned itself only with the public sector. Private schools were not mentioned in the Ministry of Education's annual reports, much less monitored. There were three distinctive groups of schools, each of which for its own reasons helped form the lobby that from the 1960s sought to persuade the provincial government to enact the crucial legislation.

The oldest group were Catholic schools whose beginnings went back as far as did European settlement itself—to the mid-nineteenth century.⁵ Because the Catholic church failed to secure legal recognition for its schools prior to British Columbia's entry into Confederation in 1871, the schools acquired no claim under the terms of the British North America Act to be financially supported as alternatives within the public system, as occurred with Catholic schools in some other areas of Canada. British Columbia's handful of Catholic schools limped along as private institutions, continuing to believe, however, that they were legitimately entitled to official recognition and public funding. After the Second World War an increasingly assertive Catholic hierarchy took direct action. Not only were dozens of new schools constructed across the province to serve the one in seven British Columbians who was Catholic, but a

very public war of words was waged through repeated briefs and appeals to the provincial government.⁶ The number of Catholic schools quadrupled between the early 1950s and mid-1960s to well over 60, but, despite its higher profile, the Catholic church was unable on its own to obtain any concessions or assistance from the province.

A second group of non-public schools had origins going back almost as far in time, to British Columbia's origins as a British colony.⁷ As around the world, so in colonial British Columbia the Church of England established its own private, elite schools which on Confederation also remained outside the provincial system. The Anglican tradition was buttressed early in the twentieth century as a consequence of extensive upper-middle-class British immigration into British Columbia, which many newcomers perceived as still a British outpost where they could educate their children in the same class-based fashion as in Britain itself. Over a hundred private boys' and girls' schools on the British model were established in areas of extensive British settlement, many soon also acquiring students from among families of other backgrounds who sought similar, supposedly superior status for their children. By mid-century many of the three dozen or so schools still in operation had fallen on hard times, unable to provide the costly physical amenities of the postwar public system. At the same time schools continued to attract many offspring of influential families, including those whose fathers were willing to use political connections to ensure the schools' survival. This was particularly the case once attention turned to the securing of financial support from the provincial government.

It was the third principal group of private schools that spearheaded the joint lobbying effort to obtain government support. Holland's devastation in the Second World War brought many young people to areas of the world with similar geography. Upwards of 20,000 settled in British Columbia's fertile river valleys.⁸ Like their British predecessors, the Dutch brought with them a strong commitment to private education. The unquestioned assumption in the Netherlands was that each child would be schooled according to the family's religious beliefs in a government-supported but denominationally based institution. Many Dutch immigrants to British Columbia were Calvinists committed to what they termed "Christian" schooling. Assisted by missionaries from older settlements in the United States, they soon established some two dozen Christian schools.⁹ These new British Columbians firmly believed that government, be it in the old world or the new, had a responsibility to fund their offsprings' schooling just as it did that of most other children in the society.

By the early 1960s each of the three groups of schools realized that, on their

own, they were unable to change a provincial policy that had never acknowledged, much less funded, educational alternatives to the public system. In 1966 the associations representing the three groups, totalling 121 schools, came together to form a joint lobby, the Federation of Independent School Associations. FISA, as it is usually known, was not an organization of schools but rather of their separate associations, whose continued existence showed the great extent to which the separate strands in private education stood apart from each other. The word "independent" in the name of the federation denoted these schools' conscious change in orientation from being "private," in the sense of private profitmaking, to independent, in the sense of distinct from the public system.¹⁰

FISA's sole mandate was to secure provincial recognition and funding. Its executive director, Gerry Ensing, came out of the very vigorous Dutch Calvinist tradition and was determined that the provincial government must acknowledge the private sector's contribution to education and accord it its financial due. Ensing was extraordinarily capable and effective in promoting grass-roots activism among private-school supporters. "Think carefully! YOU have supported your private school, financially, YOU have read and heard all about this subject and presumably, agree. BUT, HAVE YOU WRITTEN YOUR LETTER? Male or female, youth or adult—the testing time is NOW! The wedge is inserted! DRIVE IT HOME, WITH A GENTLE BUT FIRM BLOW WITH YOUR PEN!"¹¹ Key provincial legislators of diverse political orientations soon saw the practical advantages in supporting the cause. As L.W. Downey has analyzed in detail, the passage of legislation in September 1977 underlined the extent to which a small but determined vested-interest group could set public policy.¹²

LEGISLATION

The School Support (Independent) Act of 1977 provided for two levels of per-pupil funding to schools in operation for at least five years. To qualify for assistance at 10 percent of what it cost to educate the same child in a public school in the same district, a school had only to satisfy a school inspector that it did not promote racial or religious intolerance or social change through violent means, and that it had adequate facilities. Funding at the higher rate of 30 percent of comparable costs required adherence to the same basic educational program being offered in the public system, subsequent employment of qualified teachers, participation in provincial student assessment and examination programs, and operation as a non-profit enterprise. Most established schools requested funding at the higher level even

though the legislation did not, it must be stressed, compel schools to seek recognition and funding. Only a small minority then or later sought assistance at the lower level. Schools that for religious or other reasons rejected the principle of government control over education remained free to operate unhindered by any outside authority, be it the provincial government or FISA. Official terminology thereafter tended to refer to schools receiving funds as independent, those opting to go their own way as private.

The original Act was subsequently amended and rewritten in ways more favourable to schools seeking funding. In 1982 the time a school had to operate before applying for assistance was cut from five to three years, in mid-1987 to just a single year, shifts that encouraged the foundation of new schools. Also in 1987 the date when a school would actually receive the first payment for a particular school year was advanced from November of the subsequent year to February of the year in question, a considerable boon for smaller schools operating on the economic margin.¹³ Maximum funding was at the same time raised to 35 percent.

Responding to recommendations of the provincial Sullivan Royal Commission on Education, which reported in 1988, a new Independent School Act was passed in mid-1989. The funding level was raised to 50 percent for schools whose per-pupil operating expenses did not exceed those of public institutions in the same school district and which, as summed up by the Minister of Education during debate on the legislation, "meet all the requirements or parallel requirements of the public school system in terms of educational programs." For schools whose per-pupil costs were higher than in public schools in the same district, the same regulations held but funding remained at 35 percent. The lower rate continued at 10 percent. Although the latter schools did not have to follow the provincial curriculum, they were now, as the minister emphasized, "required to provide an educational program, as . . . in the public schools."¹⁴ Schools' capital and other non-operating costs are not provincially supported, although schools have been and continue to be accorded a proportion of funds targeted from time to time for special purposes, such as Pacific Rim initiatives, computer education, and programs for children with learning disabilities.¹⁵

The 1989 Act also put private education as a whole under state control for the first time in British Columbia. All schools enrolling ten or more children and all home-schooling families, defined as school-aged groups of fewer than ten, were required to register with provincial authorities.¹⁶ Upon registration, a school was officially inspected. Home-schooling families were subject to superintendents' inspection. As had been the case in funded schools, all schools were now explicitly prohibited from offering programs that fostered

racial or ethnic superiority, religious intolerance, or social change through violent means.

Very importantly, the Independent School Act of 1989 began with the same preamble as did its companion School Act, for the first time committing all schools across the province to a common purpose developed by the ministry for the public system. "The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy."¹⁷ Although non-funded schools could still make a profit and hire unqualified teachers, the requirement clearly and unequivocally put the state's social and economic priorities up front. British Columbia's remaining "private" schools were in effect legislated out of existence.

GROWING NUMBERS

Since 1978 both the number of pupils in non-public schools and the number of institutions have grown steadily, although, as Table 1 makes clear, two important shifts sometimes attributed to the legislation were already underway. Demographics were depressing public school enrolments even as those of non-public schools were rising, partly in reaction to what some British Columbians perceived to be public-school permissiveness.

TABLE 1
*Comparison of British Columbia Public and Private School Enrolments,
 1970/71–1990/91**

	<i>Public school enrolment</i>	<i>% change over prev. year</i>	<i>Private school enrolment</i>	<i>% change over prev. year</i>	<i>Total enrolment</i>	<i>Private enrol. as % of total</i>
1970/71	526,991	—	21,319	—	548,310	3.9
1971/72	524,305	-0.5	21,777	2.1	546,082	4.0
1972/73	537,067	2.4	22,061	1.3	559,128	4.0
1973/74	549,019	-2.2	21,421	-2.9	570,440	3.8
1974/75	541,575	-1.4	21,055	-1.7	562,630	3.7
1975/76	542,680	0.2	23,071	9.6	565,751	4.1
1976/77	536,237	-1.2	23,318	1.1	559,555	4.2
1977/78	527,769	-1.6	23,691	1.6	551,460	4.3
1978/79	517,786	-1.9	24,556	3.7	542,342	4.5
1979/80	511,671	-1.2	24,827	1.1	536,498	4.6
1980/81	509,805	-0.4	26,314	6.0	536,119	4.9
1981/82	503,371	-1.3	27,936	6.2	531,307	5.3
1982/83	500,336	-0.6	28,280	1.2	528,616	5.4
1983/84	497,312	-0.6	29,118	3.0	526,430	5.5
1984/85	491,264	-1.2	30,326	4.1	521,590	5.8
1985/86	486,777	-0.9	33,553	10.6	520,330	6.5
1986/87	486,299	-0.1	34,242	2.1	520,541	6.6
1987/88	491,309	1.0	36,724	7.3	528,033	7.0
1988/89	500,088	1.8	37,731	2.7	537,819	7.0
1989/90**	513,533	2.7	39,240	4.0	552,773	7.1

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1990/91**	527,900	2.8	41,391	5.5	569,291	7.3
% change over 20 years		0.2		94.2		3.8
% change since funding		nil		74.7		3.2

*Federal schools for native Indian children and schools for blind and deaf students are excluded from the total.

**Figures shown are estimates.

Sources: Statistics Canada, *Elementary-Secondary School Enrolment* (81-210) and *Advanced Statistics of Education* (81-220), and FISA calculations.

The number of children in the public system fell from a high of 549,00 in 1973/74 to under 530,000 by 1977/78, during which time enrolment in non-public schools grew from just over 21,000 to almost 24,000.

Funding accelerated the trend in favour of non-public school enrolments. Public school numbers troughed at 486,000 in 1986/87, moving slowly upwards thereafter, whereas the number of non-public pupils surpassed 41,000 by 1990/91. Overall, the proportion of British Columbia children being educated outside the public system rose by two thirds, from 4.3 percent in 1977/78 to 7.3 percent in 1990/91. The number of non-public institutions also grew by two thirds, from approximately 167 in 1977/78 to 279 by 1989/90. In addition, an estimated 2,000 to 3,000 children, or just over 0.5 percent of their cohort, were being home-schooled.

Overall figures are somewhat misleading, for growth in numbers and thereby in families' choice of school for their children has not been evenly dispersed between the principal groups of non-public schools. As Table 2 shows, Catholic enrolments have increased least. Yet the influence of funding for this, the largest group of schools, has probably been the most significant. The province's Catholic schools had by their own admission fallen on hard times, a situation worsened by a worldwide shortage of cheap, dedicated Catholic labour. Many schools so optimistically established across hinterland British Columbia during the postwar years were barely surviving. The church's willingness to countenance, never mind to champion, a joint funding campaign is perhaps the best evidence of the situation's gravity. Funding turned matters around. By 1980 enrolments were slowly but steadily moving upward. Fees could be kept down while individual schools were made more attractive through the improvement of deteriorating facilities and employment of paid teachers to replace aging nuns and lay brothers.

Of 67 Catholic schools in operation on the eve of funding, 1977/78, just four subsequently closed, two at least for non-economic reasons. Overriding strenuous parental objections, an elderly order of nuns from Montreal shut down an exclusive Vancouver girls' school rather than see it fall into the hands of lay teachers. A few years later a popular girls' high school in nearby Burnaby was summarily closed by the local archdiocese rather than submit to unionizing teachers' demands.¹⁸ Nine new Catholic schools were founded in the early to mid-1980s, primarily in rapidly expanding suburban communities.¹⁹ Their appearance partially accounts for the rise in enrolments from just over 13,000 at the beginning of the decade to 17,000 by 1987. Totals thereafter levelled out. This is in part because, rather than reducing fees and so encouraging additional families to consider attendance, institutions used provincial funds primarily to raise teachers' salaries toward provincial norms

in the public system, hoping to counter threats of unionization. State funding has been critical to the renaissance of Catholic education in British Columbia.²⁰

TABLE 2
British Columbia Private School Enrolment, 1977/78–1990/91

		<i>% incr. over prev. year</i>		<i>% incr. over prev. year</i>		<i>% incr. over prev. year</i>		<i>% incr. over prev. year</i>		<i>% incr. over prev. year</i>	
	<i>Catholic</i>		<i>Elite</i>		<i>Funded Christian</i>		<i>Other funded</i>		<i>Non- funded*</i>		<i>Total</i>
1977/78	13,264	—	3,559	—	2,471	—	1,357	—	3,040	—	23,691
1978/79	13,395	1.0	3,556	-0.1	2,702	9.8	1,411	4.0	3,492	14.9	24,556
1979/80	13,226	-1.3	3,667	3.1	2,946	9.0	1,273	-9.8	3,715	6.4	24,827
1980/81	13,712	3.7	3,661	-0.2	3,239	10.0	1,498	17.7	4,204	13.2	26,314
1981/82	14,077	2.7	3,839	4.9	3,436	6.1	2,056	37.3	4,528	7.7	27,936
1982/83	14,620	3.9	3,872	0.9	3,592	4.5	2,002	-2.6	4,194	-7.4	28,280
1983/84	15,516	6.1	3,935	1.6	3,745	4.3	1,518	-24.2	4,404	5.0	29,118
1984/85	15,421	-0.6	3,886	-1.3	3,969	6.0	1,756	15.7	5,294	20.2	30,326
1985/86	16,592	7.6	4,331	11.5	4,149	4.5	2,047	16.6	6,434	21.5	33,553
1986/87	16,934	2.1	4,484	3.5	4,639	11.8	2,563	25.2	5,622	-28.2	34,242

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1985/86	16,592	7.6	4,331	11.5	4,149	4.5	2,047	16.6	6,434	21.5	33,553
1987/88	17,029	0.6	4,697	4.8	5,133	10.0	3,396	32.5	6,469	15.1	36,724
1988/89	16,734	-1.7	4,814	2.5	5,509	7.3	3,755	10.6	6,919	6.9	37,731
1989/90	16,845	0.7	5,196	7.9	6,281	14.0	4,570	21.7	6,348	8.3	39,240
1990/91	17,354	3.0	5,158	-0.7	7,476	19.0	5,344	16.9	6,059	-4.5	41,391
% increase since funding		30.8		44.9		202.6		293.8		99.3	

*Enrolments in non-funded schools are estimates only.

Source: Enrolment statistics compiled by the Federation of Independent School Associations on behalf of Statistics Canada.

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In the case of the province's elite schools on the British model, their relatively small growth in enrolments has been largely self-imposed. The ten that survived into the late 1970s used funding primarily to retrieve lost exclusivity. Rather than moderating fees, they chose to upgrade facilities or even open new campuses in order to maximize appeal and thereby pupil selectivity. Their success was most visible in the foundation in the heavily populated Greater Vancouver area of several new schools quite contented to accept the older schools' rejects.²¹ These institutions, old and new, have been especially concerned to maintain their image as distinct from and superior to the public system.²² In 1989 they opposed any further rise in provincial funding beyond 35 percent and helped fashion the dual policy whereby only schools whose per-pupil cost was below that in local public schools received the higher rate of 50 percent.

Christian schools have expanded the most dramatically in numbers and enrolment. The general appeal of conservative Christian values has been evident in the parallel growth of funded Christian schools and of their non-funded counterparts.²³ Funded Christian schools have increased enrolments one and a half times over the past twelve years, while overall enrolments in non-funded private schools, the majority evangelical Christian in outlook, have doubled.

In practice the two kinds of Christian schools intertwine.²⁴ Those originating in Dutch immigration have gradually become more welcoming of families belonging to other Protestant churches.²⁵ State funding has been vital in legitimizing curricula and teachers and thereby achieving broadly based acceptability within the larger Christian community. Some non-funded Christian schools begun by particular evangelical or fundamentalist denominations have moved closer to their funded counterparts by joining the association encompassing funded Christian schools and applying for provincial recognition and financial assistance. Thus, enrolment in non-funded schools as a whole began to decline in the late 1980s even as, so Table 2 details, that in funded Christian schools continued to rise. Newer funded schools were mostly located in geographical areas without Dutch settlement, thereby increasing funded Christian schools' accessibility to families across the province. By the end of the 1980s, twenty-five to thirty different denominations were represented among pupils attending funded Christian schools.

Christian schools choosing to remain non-funded have often had relatively short life spans. Founded by an enterprising minister and operating in ad hoc quarters, likely a church basement, they have relied on individualized curricula such as Alpha-Omega or Accelerated Christian Education, the latter able to be overseen by non-professionals, often the minister and his wife or other

volunteers from within the church. Thus, almost half the approximately 60 non-funded Christian schools in operation in the early 1980s had begun after 1977 but were closed by the end of the 1980s, by which time another 30 or so new non-funded Christian schools were in operation across British Columbia.²⁶

Other non-public schools have fared variously. The stagnation of alternative school enrolments, even where such schools received funding, was likely a consequence of general conservatism in social values in the 1980s. Seventh Day Adventists, who at first rejected government funding, have had little success in opening new schools. Other religious schools, schools for very young children, and schools for children with special needs have each tripled in numbers, due largely to the increased ease of obtaining provincial funding. Among groups newly establishing schools in the 1980s in British Columbia were Mormons, Sikhs and Muslims.

INCREASED OVERSIGHT

The growth in numbers of pupils and schools has both encouraged and been encouraged by increased official and unofficial oversight of non-public education. The shift has gone beyond changes in legislation into attitudes. Non-public schools have come to be perceived as an integral component of a provincial system of education. Whereas once it was the Federation of Independent School Associations alone that spoke out for private education, three powerful groups now look out for their interests.

First, unlike some lobbies that fold their tent as soon as their goal is secured, FISA strengthened its presence in British Columbia as the principal liaison between, and advocate for, various groups or associations of schools that otherwise continued to have relatively little in common.²⁷ The federation communicates schools' concerns to the proper authorities, monitors government actions, and administers some provincial programs encompassing non-public schools, making FISA a direct agent of state control. FISA also functions as the principal advocate of independent education, in the press and elsewhere defending the principle of funding and making the case for family choice and diversity in education.²⁸ FISA's role should not be underestimated. FISA has had internally to maintain a delicate balancing act between school associations, some of which favour increased funding, even as high as 100 percent, whereas others oppose any change appearing to legitimize government intervention in their operations. FISA has been remarkably successful in quietly and effectively reconciling very different perspectives.

The provincial Ministry of Education officially oversees non-public

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education, ensuring that individual schools adhere to designated standards for curriculum and teachers' credentials. The presence of an Independent Schools Division within a government ministry traditionally responsible only for public education has played a major role in legitimizing private schools as integral to the provincial system. Although some individuals within the division, including Gerry Ensing, formerly of FISA, have been scrupulous in their public neutrality, others have sometimes sounded "more like an apologist for the private schools than their inspector."²⁹

The third critical support group is the provincial government itself. The centre-right Social Credit coalition that has been in power since 1977 has actively encouraged non-public schooling as an option for British Columbian families. Some MLAs have been attracted by the elitism, others have been genuinely concerned to give parents the opportunity to opt for religiously-based schooling for their offspring. Over the past dozen years evangelical Christians have played a growing role in government as members of the legislature and as ministers. Overall, the vision of society held by members of the ruling political party has been more closely approximated by some component of the non-public sector, or at the least by the freedom to choose, than by public education.³⁰

THE DIALECTIC

Growing oversight combined with the expansion in family choice has fundamentally altered the character of non-public education in British Columbia. Provincial funding revitalized non-public schools, but at a price. Whereas a dozen years ago these schools quietly went their own way, they are now accountable not just to the government but in the court of public opinion. Their every action is monitored by and discussed in the press, due in good part to their appeal.

The dominant image of private education depicted in the press is of a panacea inaccessible to ordinary British Columbians. An editorial in the province's major newspaper unequivocally asserted in 1987 that all private schools "are elitist."³¹ Such an assessment gains credibility from the frequent advertisements in the daily and periodical press for the province's handful of truly elite schools, containing details like "fully 96% of last year's graduating seniors gain[ed] admission to universities such as Harvard, Princeton and MIT."³² Newspaper headlines at first glance negative in tone—"Hefty private school funding hike angers cash-strapped public schools"—leave much the same message.³³ FISA's very success in holding together an independent school coalition has ironically heightened the perception of all non-public

schools as fashioned in the image of the select few.

The press's tendency to obscure schools' differing goals and clientele is due in part to its distillation of expertise. Having polled British Columbians to determine their level of support for private education, Donald Erickson lumped his findings together as though they applied equally to all kinds of non-public schools.³⁴ The Ministry of Education has contributed to the same perception through such actions as highlighting in its annual report a public opinion survey indicating that, "if money was no object, more than half the population would choose to send their children to an independent school."³⁵ One consequence is that families believe they will obtain for their child at an economy-model Catholic or evangelical Christian school the attributes of exclusivity promised by one elite school with its public assertions that "the world steps aside for any man who knows where he is going."³⁶ To the extent that families do not experience anticipated satisfaction or cannot afford a non-public school in the first place, antagonisms grow and non-public schools become more accountable for their every action.

Non-public education's new visibility has meant that individual schools are monitored as never before. Efforts to get rezoning or other concessions result in extensive press coverage.³⁷ The revelation in spring 1989 that two of Vancouver's elite schools limited admissions of local students of Asian background in the interests of maintaining an "appropriate ethnic mix" unleashed a public furor. Whereas half the children entering the public system in Vancouver spoke English as a second language, half of these a Chinese language, one of the two schools deliberately kept the proportions of Asians to twenty percent and of other ethnic groups to between 2 and 3 percent, despite half its applicants being of Asian descent.³⁸ Another outcry erupted a year later over the realization that some non-public schools issued tuition rebate slips for income tax purposes on the ground that the school offered at least one post-secondary course and therefore the fees of all students, whatever their academic level, were deductible for tax purposes, a position apparently upheld by Revenue Canada.³⁹ Also in 1990 came news that one of the province's best-known elite schools had decided to continue to restrict its enrolment to males, which some in the public considered reason for withdrawing public funds from the institution.⁴⁰

Funded schools whose religious underpinnings have appeared to take precedence over their educational function have also come under public scrutiny.⁴¹ The most extreme case was a 1988 conflict between the Catholic church and teachers at the province's only Catholic girls' high school. In the end the church got its way by simply shutting down the school, but the cost was much heavier than if the events had occurred a decade previous. The

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conflict began when teachers sought to unionize in order to raise their salaries and to secure better working conditions. The Catholic hierarchy was unwilling to discuss such issues as teachers' personal behaviour outside school hours. Many interpreted it as a warning to teachers in other Catholic schools considering unionization that the church closed the school over the protests of students, parents and teachers. Every scene and act in a lengthy drama of conflicting views was monitored by the daily press, and the church lost decisively in the court of public opinion.⁴² The Catholic church was made accountable for its actions in so unfavourable a light as to make it highly unlikely that any school or religious group would ever again act in similar fashion. All non-public schools across British Columbia were put on guard that even in terms of their philosophical and religious underpinnings, there were public standards for acceptable behaviour. As for the Catholic church, it not surprisingly used much of the 1989 funding increase to raise teachers' salaries.

Neither are funded schools any longer independent in terms of daily operations. Individual schools still embody very different philosophical, religious and even class-based perspectives. Yet each must now serve the same basic purposes as does the public system, summed up in the preamble to the 1989 legislation. Educational programs build on a core curriculum developed within the public system. Some long-standing teachers are qualified through experience, but more and more receive their training in the same post-secondary institutions serving the public system and are similarly certified, meaning that they can readily move between public and non-public schools.⁴³ All students take the same provincial graduation examinations and graduate equally qualified to enter institutions of higher learning. The provincial inspector of independent schools has the authority to appraise all school records as well as to "examine the achievement of students and examine and assess teachers, programs, operations and administration."⁴⁴

Further, by accepting funding non-public schools have committed themselves in advance to whatever new regulations the Ministry of Education may implement for the system as a whole. Through FISA, schools have some voice in policy formation, but that voice is very small compared to that of the much larger public system. When during the early 1980s the provincial government repeatedly cut back public education in the name of economic restraint, independent schools were also cut back. Far-reaching policy changes consequent on the 1988 Sullivan Royal Commission look toward a fundamental restructuring of the entire system by the year 2000. Kindergarten through grade 3 is becoming ungraded, and grades 11 and 12 will be reoriented. The traditional subject areas are to be replaced by four interwoven

strands: humanities, fine arts, sciences and practical arts.⁴⁵ Although independent schools have some flexibility, the widespread assumption that their academic component equals or surpasses that in the public school creates tremendous pressures to conform. As one independent school head put the case, "it's our job to be up-to-date with what's happening educationally."⁴⁶ For non-public schools in British Columbia, the future is no longer theirs alone to determine.

The 1989 legislation paired the carrot of funding with the stick of mandatory registration and what the minister termed "stronger inspection."⁴⁷ The appeal of financial assistance had already brought into the regulated category the majority of schools, together enrolling about 85 percent of non-publicly educated children. Although the new Act does not force the remaining schools to accept provincial funding, it does stipulate that they as well as home-schooling families must, for the first time, acknowledge themselves before the state. When the legislation was passed, the provincial inspector of private schools commented that some non-funded schools deeply opposed the new Act. "They don't want us to know about them because they're afraid of government intervention."⁴⁸

The new Act effectively puts children's right to a basic education, whatever school they attend, above their parents' and the school's philosophical or religious predilections.⁴⁹ As the Act's preamble affirms, children's rights take priority: "The purpose of the British Columbia school system is to enable learners to develop their individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy." The Minister of Education explained the preamble's purpose as ensuring that non-public schools "meet more stringent requirements relative to the public school act, so that if students had a choice, they also had equal opportunity to get an education that would prepare them for a healthy society."⁵⁰

It is too early to determine proportions of schools and home-schooling families refusing to register or whether the provincial ministry will act against the holdouts. As of early 1991, the section of the legislation making non-registration an offence, Section 13, had not yet been proclaimed, the delay intended to give schools time to comply voluntarily. The Act gives the government the authority to order a school closed for failing to comply. Such a school would remain closed during any appeal, likely dooming long-term viability. Over the long run the Act likely will result in the closure of some schools, mostly voluntarily, and cause decisions to open new schools to be taken less lightly than during the 1980s.

Most supporters of non-public education, by distinguishing between schools'

didactic and moral functions, have had little difficulty accepting the state's greater role. They applauded the 1989 legislation as putting 'into a legislative code a commitment to pluralism in education' with 'room for parental choice.'⁵¹ They hold that their ability to teach from their own philosophical or religious perspective has been little, if at all, affected by the growth of state oversight. A minority, including some members of the evangelical Christian community, have expressed reservations based on their strong belief that the state has no role in schooling. Others worry over the appropriate percentage of financial support, with its implication of a comparable degree of state control. The greater the reliance on government funding, the more difficult it becomes to oppose government requests that might in the event of opposition become demands. Thus, during internal debate preceding the 1989 legislation, some voices within FISA argued that the proportion should not top the current 35 percent, others that it not exceed 49 percent, to ensure schools retain 51 percent control.

For the overwhelming majority, the security of financial support far outweighs apprehensions that a provincial government of a different political orientation might revise regulations. FISA's effective cooption of provincial political parties and of most major interest groups through ongoing liaison has ensured there will be no drastic reversal in policy.⁵² Funding itself is no longer at issue. The principal opposition party, the New Democrats, has since the early 1980s committed itself to maintaining financial support of non-public schooling. In debating the 1989 legislation, the NDP critic for education, Anita Hagen, emphasized that 'we agree with the government that choice and alternatives should be the hallmark of an educational system,' even though the preference would be for 'that kind of choice and diversity to exist within the public school system as broadly as possible.' She continued, 'So I am passionately committed to the public school system, but I recognize too—and certainly we have recognized and acknowledged—that parents are seeking choices related to the educational needs of their children and also to the values that they feel are important.'⁵³

On the other hand, if in power, the province's left-leaning opposition might well effect changes toward greater accountability and accessibility and emphasis on children's rights. Home schoolers and non-funded schools on the margin would probably be pushed closer to the independent school mainstream. During the 1989 legislative debate an opposition member commended the new requirement that 'every child to be registered somewhere in a school.' She urged that children be given 'some choice about whether they will be schooled at home or in schools.' Some opposition members would curtail funding to 'schools that charge fees that make them available only to

parents who are wealthy.' "Enrolment procedures should be ones that do not preclude the attendance of people who themselves choose such schools, rather than having standards of enrolment that may preclude them from enrolment."⁵⁴ In the interests of expanding choice and greater equity between families, differences between public and non-public schools would further diminish.

Thus, what began in 1977 as a single piece of legislation secured by a small interest group has become an integral component of public policy. Growing numbers of British Columbian families have come to consider non-public alternatives for their children. At the same time, family choice has been constrained, in part through non-public schools' very success. The didactic function of most such schools now differs little from that of their public counterparts. Even schools' philosophical and religious underpinnings, supposedly the reason for their existence in the first place, have increasingly come under public scrutiny. Individual schools may still run roughshod over teachers and families, but only at considerable cost in terms of public censure. Independent education's new visibility may not dictate but certainly tempers schools' behaviour in philosophical and religious as well as in didactic realms.

From the perspective of children's rights, events in British Columbia have further meaning. The distinctive philosophical and religious underpinnings of independent schools have been moderated by the right of all children, to quote once again from the preamble common to the School and Independent School Acts, to "acquire the knowledge, skills and attitudes needed to contribute to a healthy society." Children are protected, at least in theory, against the actions of willful schools even where those are selected by equally willful parents. Education in British Columbia may not conform to the traditional image of the local public school as the common meeting ground for the next generation, yet the system has since 1977 moved markedly in that direction. Among questions that remain to be answered is whether this shift results from factors unique to British Columbia or is an inevitable concomitant of public funding for private education.

NOTES

¹I am grateful to the Social Sciences and Humanities Research Council for financial support of the Canadian Childhood History Project, under whose auspices this assessment was developed. It draws not only on written sources including the daily press but on conversations with numerous individuals more expert than myself, including Gerry Ensing, Fred Herfst, Harro Van Brummelen, and private-school teachers and principals in Vanderhoof, Vernon and

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Vancouver. William Bruneau, Gerry Ensing, Jud Purdy, Patricia Roy, Harro Van Brummelen, and J. Donald Wilson usefully made critiques of earlier versions of the assessment presented to the American Educational Research Association in spring 1990 and to the Canadian History of Education Association in fall 1990. Comments received there were also very helpful.

²Only Alberta is comparable, although Saskatchewan, Manitoba and Quebec also fund private schools. Provinces' policies are summarized in Romulo F. Magsino, "Human Rights, Fair Treatment, and Funding of Private Schools in Canada," *Canadian Journal of Education* 11 (1986), pp. 245–63, and in J. Donald Wilson and Marvin Lazerson, "Historical and Constitutional Perspectives on Family Choice in Schooling: the Canadian Case," in M.E. Manley-Casimir, ed., *Family Choice in Schooling: Issues and Dilemmas* (Lexington: D.C. Heath, 1982), pp. 1–19. Private education across Canada is discussed in an international context in John J. Bergen, "Canada: Private Schools," in Geoffrey Walford, ed., *Private Schools in Ten Countries: Policy and Practice* (London: Routledge, 1989), pp. 85–104, and in Charles L. Glenn, *Choice of Schools in Six Nations* (Washington, DC: U.S. Department of Education, 1989), pp. 145–85. The issues raised in British Columbia have also received considerable attention in Ontario, expressed most strongly in Bernard Shapiro, Commission on Private Schools in Ontario, *Report* (Toronto: Ontario Department of Education, 1985), which argued against public assistance.

³The largest was the multi-year COFIS ("A Study of the Consequences of Funding Independent Schools in British Columbia") study undertaken by Donald Erickson, whose published findings have been sparse. See Donald E. Erickson, Lloyd MacDonald and Michael E. Manley-Casimir, *Characteristics and Relationships in Public and Independent Schools* (San Francisco and Vancouver: Centre for Research on Private Education and Educational Research Institute of British Columbia, 1979); and Donald A. Erickson, "Should All the Nation's Schools Compete for Clients and Support?" *Phi Delta Kappan*, September 1979, pp. 14–17, 77. For unpublished reports by Erickson and associates, see Frank J. Dragojevich, "The Funding of Roman Catholic Schools in British Columbia: Issues and Implications" (M.Ed. major paper, Department of Administrative, Adult, and Higher Education, University of British Columbia [1988]), pp. B2-B3. On British Columbia, also see Daniel J. Brown, "Financial Effects of Aid to Nonpublic Schools: The British Columbia Experience," *Educational Evaluation and Policy Analysis*, 4 (1982), pp. 443–60.

⁴Some of these issues are discussed in Donald Fisher, "Family Choice and Education: Privatizing a Public Good," in Manley-Casimir, ed., *Family Choice*, pp. 199–206; Donald Fisher and Averlyn Gill, "Diversity in Society and Schools," *Pacific Group for Policy Alternatives* (paper no. P-85-03), (Vancouver, 1985); and Donald Fisher and Betty Gilgoff, "The Crisis in B.C.

Public Education: The State and the Public Interest,' in Terry Wotherspoon, ed., *A Sociology of Education: Readings in the Political Economy of Canadian Schooling* (Toronto: Methuen, 1986), pp. 68–93.

⁵On the broader historical context, see Jean Barman, "Transfer, Imposition or Consensus? The Emergence of Educational Structures in Nineteenth-Century British Columbia," in Nancy M. Sheehan, J. Donald Wilson and David C. Jones, ed., *Schools in the West: Essays in Canadian Educational History* (Calgary: Detselig, 1986), pp. 241–64; and Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1991).

⁶The official Catholic interpretation of events is summarized in "History of B.C.'s independent school struggle," *B.C. Catholic*, 18 September 1977, p. 3.

⁷On these schools, see Jean Barman, *Growing Up British in British Columbia: Boys in Private School* (Vancouver: University of British Columbia Press, 1984).

⁸On Dutch immigration to British Columbia, see Edith M. Ginn, "Rural Dutch Immigrants in the Lower Fraser Valley" (M.A. thesis, Department of Geography, University of British Columbia, 1967).

⁹See Harro W. Van Brummelen, *Telling the Next Generation: Educational Development in North American Calvinist Christian Schools* (Lanham: University Press of America, 1986), pp. 250–65.

¹⁰The term "independent" began to be used by the elite schools in British Columbia after the Second World War, as it was in Britain, to set themselves apart as no longer private-profit-making. The British Columbia press still uses the two terms interchangeably.

¹¹Undated FISA bulletin from 1970. Capital letters in original.

¹²L.W. Downey, "The Aid-to-Independent Schools Movement in British Columbia," in Sheehan, Wilson and Jones, *Schools in the West*, pp. 305–23. More revealing of events from the perspective of proponents within the private schools are "FISA: Working against all the odds," *B.C. Catholic*, 18 September 1977, p. 3, and the minutes of the Independent Schools Association of British Columbia, available in the British Columbia Archives and Records Service.

¹³FISA Memo, 4 September 1987; *Sun*, 25 June and 5 September 1987; and FISA, "Commentary on the Independent School Act, 16 October 1989, p. 2. The 1989 legislation continued these provisions.

¹⁴Anthony Brummet, 4 July 1989, in Legislative Assembly, *Debates*, v. 14, no. 23, p. 8120.

¹⁵For examples, see Ministry of Education, "News Release," 22 June 1987, and FISA, *Monday Bulletin*, 1 February and 13 June 1988.

¹⁶More specifically, home-schooling families were required to register with a local public or non-public school of their choice or with the Ministry of Education's correspondence division. In exchange for providing access to evaluation and

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assessment services and loan of educational materials, the school receives for each home schooler registered one-quarter of its per-pupil provincial funding. Bill 67, School Act, 1989, part two, sections 12–13; Bill 68, Independent School Act, regulations, section 6; and *Sun*, 1 November 1989.

¹⁷Ministry of Education, *Annual Report*, 1987/88, 3, and School Act and Independent School Act, 1989, preamble.

¹⁸Respectively, the Convent of the Sacred Heart and Marian Regional High School.

¹⁹Data compiled from FISA's annual *Independent Schools Directory*.

²⁰The same point is made forcefully in Dragojevich, "Funding," based primarily on interviews with individuals knowledgeable about the Catholic school system in the Greater Vancouver area.

²¹Notably North Vancouver's Collingwood and Maple Ridge's Meadowridge, founded specifically to take rejects from Vancouver's St. George's School and Crofton House as well as students who might prefer an elite private school closer to home. *Sun*, 18 and 30 January, 9 June and 20 September 1984, 24 June 1985, and 9 June 1987, and *North Shore News*, 15 April 1984. Among the more eclectic newcomers have been Woburn Ladies College, established as a girls' finishing school, and Marlborough College, founded by a property developer 'to create millionaires.' *Sun*, 27 April and 3 and 14 September 1988.

²²This point underlies Elizabeth J. Thomas, "The Importance of School Culture in School Improvement: A Case Study" (M.Ed. paper, Department of Administrative, Adult, and Higher Education, University of British Columbia, 1988), a portrait of Crofton House from the perspective of a participant-observer.

²³For detail on these schools' operation, see Gordon C. Calvert, "Growth of Non-FISA Christian Schools in British Columbia: 1975–1985" (M.A. thesis, Department of Social and Educational Studies, University of British Columbia, 1987). For more general introductions with relevance to British Columbia, see Alan Peshkin, *God's Choice: The Total World of a Fundamentalist Christian School* (Chicago: University of Chicago Press, 1986), and Susan D. Rose, *Keeping Them Out of the Hands of Satan: Evangelical Schooling in America* (New York: Routledge, 1988).

²⁴This point is incisively elaborated in Harro Van Brummelen's comparative study of three Christian schools in a single Fraser Valley community. *Curriculum Implementation in Three Christian Schools* (Grand Rapids: Calvin College, 1989).

²⁵See Harro Van Brummelen, "Leadership without coercion," *Canadian School Executive*, January 1984, pp. 14–15, and his *Telling the Next Generation*, esp. pp. 1, 253–54 and 265. Church membership is often a qualification for admission.

²⁶FISA, *Independent Schools Directory*, 1978/79, 1983/84, and 1990/91.

²⁷Visiting the different non-public schools in two small interior communities in the mid-1980s, the author was repeatedly queried by school heads about the operation of other schools in the same community. It was clear they knew almost nothing about each other, their horizons extending no further than maintaining day-to-day operations and satisfying parental expectations within the philosophical framework mandating their existence.

²⁸FISA's role is well summed up in its annual brochure.

²⁹*Sun*, editorial of 6 October 1982, referring to E. Lester Bullen, who became provincial inspector of independent schools in 1980. Bullen's views are clear in his "Freedom of Choice in Education," *Education Canada*, Fall 1978, pp. 24–30.

³⁰See Harold S. Drysdale, "The B.C. Independent School Debate: Cultural Diversity, Family Choice, and Privatization," *Policy Explorations* 2, 5 (n.d.), pp. 1–4.

³¹*Sun*, 29 June 1987. Several days later (9 July) came the rebuttal from FISA's executive director. Similarly, an editorial by Walter Block in the weekly newsmagazine *British Columbia Report* in early 1991 characterized the province's private schools as "vastly superior" (25 February 1991, p. 4).

³²Advertisement for St. George's School, Vancouver, appearing in a wide variety of provincial daily and weekly newspapers and magazines, as well as in Toronto's *Globe and Mail* in January 1991.

³³*Sun*, 25 March 1988. Due to continued enrolment growth, the budget of the province's 206 funded private schools had risen over the past year from \$40.7 to \$48 million, or by 18 percent, at the same time as total public school funding only increased from \$1.73 to \$1.85 billion, or by 7.4 percent.

³⁴Donald Erickson quoted in *Toronto Star*, 6 July 1982, as well as the other findings from the COFIS study. The tendency by scholars to generalize across non-public education is not limited to British Columbia, as evidenced by the aggregate approach of James Coleman and others in analyzing non-public education in the United States. James Coleman, Thomas Hoffer and Sally Kilgore, *Public and Private Schools* (Washington, DC: National Center for Education Statistics, 1981); James Coleman and Thomas Hoffer, *Public and Private High Schools: the Impact of Communities* (New York: Basic Books, 1987); Daniel C. Levy, *Private Education: Studies in Choice and Public Policy* (New York: Oxford University Press, 1986); and Neil E. Devins, ed., *Public Values, Private Schools* (London: Falmer, 1989), among other studies.

³⁵Ministry of Education, *Annual Report*, 1987–88, p. 49.

³⁶*Sun*, 5 February 1988, ad for St. George's School, Vancouver.

³⁷Exemplary was Collingwood's rezoning application, detailed in the *Sun* through May and June 1988. The press can also compliment schools, as in its recognition of the efforts by Vancouver's Sikh school to rectify health and other

problems. *Sun*, 19 February 1990.

³⁸*Sun*, 25 April and 2 and 12 May 1989.

³⁹*Sun*, 28 April and 1 May 1990. Other tax benefits include property tax relief for schools, and deductions allowable to individuals for charitable donations made to school building programs and to the religious group operating a school.

⁴⁰*Sun*, 27 April and 16 May 1990, and *Western News*, 26 April and 24 May 1990.

⁴¹See, for instance, the charges made in the press in September 1990 against a funded Mormon school that it favoured the children of prominent sect members, used excessive discipline, and had included in a grade 11 biology examination questions on the sect's polygamous marriage practices. *Sun*, 15 September 1990.

⁴²*Sun*, 13 and 25 August 1987 and 24–27 May, 1–3, 6–7, 9–11, 15–16, 21–25 and 29 June, 6 July and 10 August 1988.

⁴³With the 1989 legislation, teachers are encouraged to be certified by the province's College of Teachers. This point is underlined in FISA, "Commentary on the Independent School Act," issued 16 October 1989, p. 2.

⁴⁴Bill 68, Independent School Act, 1989, section 2.

⁴⁵See Royal Commission on Education, *A Legacy for Learners*, 1988, and *Commissioned Papers*, v. 1–7, 1988. The base for change is the new 1989 School Act and Independent School Act, and the ministry documents, *Policy Directions: Year 2000: A Curriculum and Assessment Framework for the Future*, and *Year 2000: A Framework for Learning*. The implementation process is made public in periodic working plans: *Working Plan #3* was issued in November 1990. For a short overview of intended shifts, see *Globe and Mail*, 7 October 1989.

⁴⁶John Parry, headmaster of St. George's School, Vancouver, quoted in the *Sun*, 25 September 1989. For evidence of some growing frustration over restructuring, see *British Columbia Report*, 25 February 1991, p. 32.

⁴⁷Brummet, 4 July 1989, in Legislative Assembly, *Debates*, v. 14, no. 23, p. 8119.

⁴⁸Glenn Wall, in *Globe and Mail*, 8 July 1989.

⁴⁹On this issue, see Eamonn Callan, "Justice and Denominational Schooling," *Canadian Journal of Education* 13 (1988), 367–83.

⁵⁰Brummet, 4 July 1989, in Legislative Assembly, *Debates*, v. 14, no. 23, p. 8119.

⁵¹Leo Hollaar, educational coordinator for the Society of Christian Schools (funded Christian schools) in British Columbia, quoted in *Globe and Mail*, 8 July 1989.

⁵²For example, FISA, *Monday Bulletin*, 7 November 1988, p. 2, and 5 December 1988, p. 2.

⁵³Anita Hagen, 4 July 1989, in Legislative Assembly, *Debates*, v. 14, no. 23, p. 8121.

⁵⁴Anita Hagen, 28 June and 4 July 1989, in Legislative Assembly, *Debates*, v. 14, no. 21, p. 8008, and no. 23, p. 8022, and Anita Hagen and Barry Jones, 4 July

1989, no. 23, pp. 8120–25.

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